

## LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

- 1. (Currently Amended)** A radio base station apparatus configured for communicating with a plurality of mobile station terminals ~~over an air~~, comprising:

  - a storage unit ~~having which has previously~~ stored therein upper limit values of transmission power for said mobile station terminals, a first threshold referenced to determine whether or not the transmission power is reduced, a second threshold larger than the first threshold, and priority levels of said mobile station terminals; and
  - a control unit for monitoring total transmission power which is a sum of the transmission power for all said mobile station terminals connected for mutual communication, the control unit, by a predetermined value, reducing the upper limit value of the transmission power for said mobile station terminal which is assigned the lowest priority level when the total transmission power exceeds the first threshold, and terminating communications with said mobile station terminal which is assigned the lowest priority level when the total transmission power exceeds the second threshold.
- 2. (Original)** The radio base station apparatus according to claim 1, wherein the larger a communication capacity that is required by said mobile station terminal, the higher is said priority level assigned to said mobile station terminal.
- 3. (Currently Amended)** The radio base station apparatus according to claim 1, wherein:

  - when the radio base station is connected with said mobile station terminals through communications using a spread spectrum technology,
  - the smaller a spreading factor that is used in the communication, the lower the is said priority level assigned by said control unit.

4. **(Original)** The radio base station apparatus according to claim 3, wherein:  
the smaller the spreading factor, the larger is said predetermined value assigned by said control unit.

5. **(Previously Amended)** The radio base station apparatus according to claim 1 wherein:  
the larger the communication capacity that is required by said mobile station terminal, the smaller is said predetermined value assigned by said control unit.

6. **(Previously Presented)** The radio base station apparatus according to claim 1, wherein:  
said control unit calculates the difference between the upper limit value stored in said storage unit and the current transmission power for said mobile station terminal, and sets the difference in values to said predetermined value.

7. **(Previously Presented)** The radio base station apparatus according claim 1, wherein:  
said control unit reduces the upper limit value by said predetermined value in stages.

8. **(Original)** The radio base station apparatus according to claim 5, wherein:  
said control unit reduces the upper limit value by said predetermined value in stages.

9. **(Original)** The radio base station apparatus according to claim 6, wherein:  
said control unit reduces the upper limit value by said predetermined value in stages.

10. **(Currently Amended)** A transmission power control method by a radio base station apparatus, having a control unit and a storage unit, for communicating with a plurality of mobile station terminals ~~over an air~~, said method comprising the steps of:  
storing upper limit values of transmission power for said mobile station terminals, with a first threshold referenced to determine whether or not the transmission power is reduced, a

second threshold larger than the first threshold, and priority levels of said mobile station terminals in said storage unit;

monitoring total transmission power which is a sum of the transmission power for all said mobile station terminals connected for mutual communication; and

by a ~~predetermined value~~; reducing the upper limit value of the transmission power by a ~~predetermined value~~, for said mobile station terminal, which is assigned the lowest priority level, when the total transmission power exceeds the first threshold, and terminating communications with said mobile station terminal, which is assigned the lowest priority level, when the total transmission power exceeds the second threshold.

**11. (Original)** The transmission power control method according to claim 10, wherein the larger a communication capacity required by said mobile station terminal, the higher is said priority level assigned to said mobile station terminal.

**12. (Currently Amended)** The transmission power control method according to claim 10, wherein:

when the radio base station is connected with said mobile station terminal through communications using a spread spectrum technology,

the smaller a spreading factor that is used in the communication, the lower is said ~~assigned~~ priority level ~~assigned~~.

**13. (Currently Amended)** The transmission power control method according to claim 12, wherein:

the smaller the spreading factor, the larger is said assigned predetermined value ~~assigned~~.

**14. (Currently amended)** The transmission power control method according to claim 10, wherein:

the larger the communication capacity that is required by said mobile station terminal, the smaller is said assigned predetermined value ~~assigned~~.

**15. (Previously Presented)** The transmission power control method according to claim 10, wherein:

said predetermined value is set to the difference between the upper limit value stored in said storage unit and the current transmission power for said mobile station terminal.

**16. (Previously Presented)** The transmission power control method according to claim 10, wherein:

when the upper limit value is reduced, it is reduced by said predetermined value in stages.

**17. (Original)** The transmission power control method according to claim 14, wherein:

when the upper limit value is reduced, it is reduced by said predetermined value in stages.

**18. (Original)** The transmission power control method according to claim 15, wherein:

when the upper limit value is reduced, it is reduced by said predetermined value in stages.